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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,727	09/05/2006	Jianbing Huang	90059JLT	3151
1333 7590 11/10/2008 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER ROBINSON, CHANCEITY N	
			ART UNIT	PAPER NUMBER
			1795	
			MAIL DATE	DELIVERY MODE
			11/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/591,727

Applicant(s)

HUANG ET AL.

Examiner

CHANCEITY N. ROBINSON

Art Unit

1795

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 23-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagase (US 7,141,358 B2).

Regarding claims 23-34, Nagase discloses an aqueous developer composition comprising an alkaline developer component selected from alkali silicates, alkali hydroxides, Na₃PO₄, K₃PO₄, NR₄OH and mixtures thereof in water and having a pH of 9.0 to 13.0. See column 4,

lines 1-7 and lines 32-37. Further, Nagase discloses the developer composition comprises an alkaline agent (stabilizer) such as sodium carbonate (Na_2CO_3), potassium carbonate and ammonium carbonate. See column 4, lines 9-15. Additionally, Nagase discloses the developer composition comprises of one or more additives selected from glycols, surfactant, and anti-foaming agents. See column 5, lines 49-59; column 17, lines 61-67 and column 20, lines 33-46. Nagase discloses the carbonate anion is 2.5 to 12 wt% and the concentrate comprising the developer has been concentrated up to 10 times. See Developer table, column 66. Further, Nagase discloses a process for developing exposed (UV-sensitive positive-working or heat-sensitive) printing plate precursor comprising contacting a printing plate precursor with a developer, wherein the heat-sensitive coating (image-recording layer) of the printing plate precursor comprises a phenolic resin. See column 39, lines 24- column 40 and column 59, lines 49-55.

4. Claims 23-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Annoura et al. (US 2001/0036595).

Regarding claims 23-33, Annoura et al. disclose an aqueous developer composition comprising an alkaline developer component selected from alkali silicates, alkali hydroxides, Na_3PO_4 (sodium phosphate), K_3PO_4 , NR_4OH and mixtures thereof in the water and having a pH of 8.0 to 13.0 [0061-0062 & 0071]. Further, Annoura et al. disclose the developer composition comprises of an alkaline agent (stabilizer) such as sodium carbonate (Na_2CO_3) [0062 & 0070]. Additionally, Annoura et al. disclose the developer composition comprises of one or more additives selected from organic solvents, surfactant, and anti-foaming agents [0072-0073]. Annoura et al. disclose the carbonate anion (potassium carbonate) is 0.1 to 10wt%

[0070]. Further, Nagase discloses a process for developing exposed (UV-sensitive positive-working or heat-sensitive) printing plate precursor comprising contacting a printing plate precursor with a developer, wherein the heat-sensitive coating (sensitizing layer) of the printing plate precursor comprises a phenolic resin (novolak resin, [0022 & 0061].

5. Claims 23- 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al. (US 4,822,722).

Regarding claims 23-27, Lewis et al. disclose a high contrast developer for exposed photoresist comprising inorganic salts, preferably a sodium carbonate, a carboxylated surfactant and alkali metal base, preferably potassium or sodium hydroxide. See abstract. Lewis et al. disclose the developer composition contains high concentrations of aqueous potassium hydroxide, a surfactant and potassium carbonate in concentrations ranging between 2 and 8 wt%. See examples 17-21 and 23-26. Examiner notes the pH value of such solutions can be calculated starting from the KOH concentrations and vary between 13.2 and 13.3 ($\text{pH}=14-\log [\text{OH}^-]$), which meets the limitation of the instant application of having a pH of 13 to 14. Furthermore, Lewis et al. disclose an addition of alkali silicates to the developer composition. See column 7, lines 10-21.

Response to Arguments

6. Applicant's arguments with respect to claims 16-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHANCEITY N. ROBINSON whose telephone number is

(571)270-3786. The examiner can normally be reached on Monday to Thursday: 7:30 am-6:00 pm eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (571)272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chanceity N Robinson/
Examiner, Art Unit 1795

/Cynthia H Kelly/
Supervisory Patent Examiner, Art Unit 1795